

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
UNITED STATES OF AMERICA )  
 )  
v. )  
 )  
JING "TONY" CHO, )  
 )  
Defendant. )  
\_\_\_\_\_ )

CRIMINAL NO. 03-CR-10401-RWZ

**GOVERNMENT'S MOTION FOR COLLOQUY REGARDING A POTENTIAL  
CONFLICT OF INTEREST**

The United States respectfully moves this Court to conduct a colloquy with the defendant about the defendant's awareness of potential conflicts that might arise from the fact that his counsel of record, Raymond Sayeg, Esq., has had a pending employment application with the United States Attorney's Office during the pendency of this matter. As grounds for this motion, the United States states that under United States v. Foster, 469 F.2d 1 (1<sup>st</sup> Cir. 1972) and its progeny, on the record the Court must note the nature of the potential conflict, inquire whether the defendant understands it, and ascertain whether the defendant wishes nevertheless to continue with his attorney.

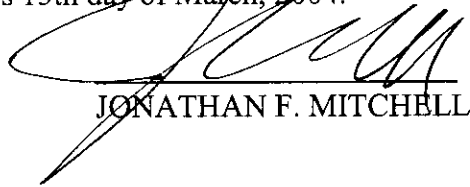
Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

  
JONATHAN MITCHELL  
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

A copy of this motion was served by mail upon Raymond Sayeg, Esq., Four Longfellow Place, Suite 3501-06, Boston, MA 02114, this 15th day of March, 2004.



JONATHAN F. MITCHELL